



**Parks,
Recreation and
Neighborhoods
Department**

1010 Tenth Street
Suite 4400
P.O. Box 642
Modesto, CA 95353
209/577-5344
209/579-5077 Fax

*Hearing and Speech
Impaired Only*
TDD 209/526-9211

January 25, 2010

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423-0001

Dear Ms. Quinlan:

RE: Union Pacific Railroad Company Abandonment in Modesto, Escalon, Stanislaus
and San Joaquin Counties, California; STB Docket No.AB-33 (sub-no. 278).

On July 31, 2009, the Surface Transportation Board issued a "Decision and Notice of Interim Trail Use or Abandonment" whereby the Union Pacific Railroad (UPRR) would be required to negotiate with the City of Modesto for a trail use agreement. A 180-day public use condition was imposed, commencing from August 1, 2009, and will end on January 28, 2010. The 180-day public use condition was to allow Modesto the needed time to assemble and review title information, complete a trail plan and to negotiate an agreement with UPRR for use of the right-of-way as a trail.

At present time, the City of Modesto has not been able to reach an agreement with the UPRR for trail use. The UPRR has asked for the city to present an offer for the railroad right-of-way, and additional time is needed to seek an appraisal of the property to substantiate and offer. A realistic time extension to complete negotiations with the UPRR would be 90-days from January 28, 2010.

Thank you for your consideration of this important request.

By my signature below, I certify service upon Union Pacific Railroad Company
Director of Real Estate-west/1800 Farnam Street/Omaha, Nebraska 68102, by Federal
Express priority overnight delivery on January 26, 2010.

Sincerely,

Julie G. Hannon
Director

ENTERED
Office of Proceedings

JAN 27 2010

Part of
Public Record



FILED